

RE: (b)(6)

TO: Teresa Gillottl, Director  
Ypsilanti Planning Department

FROM: John R. Jackson, AICP, LEED-GA

DATE: March 1, 2010

RE: 31 N. Washington - Proposed Expansion

---

The operators of the business at 31 N. Washington Street have submitted plans for interior renovations. The business, Déjà Vu, is an adult regulated use as defined in Section 122-2 and further regulated in Section 122-774 of the City Zoning Ordinance. The site is currently zoned B-3, Central Business District and Adult regulated uses are not permitted in the B-3, Central Business District. Because the business pre-dates the City's current Adult Regulated Business regulations it is considered to be a legal non-conforming use. Legal non-conforming uses are allowed to continue their operation however they are not permitted to expand without some form of review and/or approval.

We were asked to review the applicant's plans to remodel the interior of the business and determine if the use was expanding and therefore subject the City's current regulations.

We have reviewed the proposed plans and conducted a site visit to determine the extent of the proposed remodeling. Based on our review and site visit, we have concluded that they are not adding any additional floor area nor are they replacing any conforming use with any portion of the existing non-conforming use. As a result, the proposed changes do not represent an expansion of the existing legal non-conforming use.

The applicant will be required to comply with all other applicable codes and ordinances as they proceed with the project.

C: Building Department  
International Amusement, LTD  
Asselin Associates Architects  
File